

JFW  
JH

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/786,561	02/26/2004	Florence Camus-Bablon	2252.0010001/DRB/KPQ

**CONFIRMATION NO. 1824**

26111  
STERNE, KESSLER, GOLDSTEIN & FOX PLLC  
1100 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

**FORMALITIES LETTER**



\*OC000000012705175\*

Date Mailed: 05/19/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$795** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1245** for a Small Entity

10/19/2004 SSESH1 00000016 10786561

- |   |            |           |
|---|------------|-----------|
| • <b>\$385</b> Statutory basic filing fee.        | 01 FC:2001 | 395.00 OP |
| • <b>\$65</b> Late oath or declaration Surcharge. | 02 FC:2202 | 666.00 OP |
|   | 03 FC:2201 | 132.00 OP |
|   | 04 FC:2051 | 65.00 OP  |
- Total additional claim fee(s) for this application is **\$795**

- \$129 for 3 independent claims over 3.
- \$666 for 74 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*

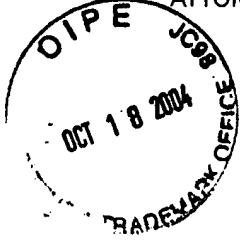
*T.L.V.*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



ATTORNEYS AT LAW



Robert Greene Sterne  
Edward J. Kessler  
Jorge A. Goldstein  
David K.S. Cornwell  
Robert W. Esmond  
Tracy-Gene G. Durkin  
Michele A. Cimbara  
Michael B. Ray  
Robert E. Sokohl  
Eric K. Steffe  
Michael Q. Lee  
Steven R. Ludwig  
John M. Covert  
Linda E. Alcorn  
Robert C. Millonig  
Lawrence B. Bugaisky  
Donald J. Featherstone  
Michael V. Messlinger

Judith U. Kim  
Timothy J. Shea, Jr.  
Patrick E. Garrett  
Jeffrey T. Helvey  
Heidi L. Kraus  
Albert L. Ferro\*  
Donald R. Banowitz  
Peter A. Jackman  
Teresa U. Medler  
Jeffrey S. Weaver  
Kendrick P. Patterson  
Vincent L. Capuano  
Eldora Ellison Floyd  
Thomas C. Fiala  
Brian J. Del Buono  
Virgil Lee Beaston  
Theodore A. Wood  
Elizabeth J. Haanes

Joseph S. Ostroff  
Frank R. Cottingham  
Christine M. Lhuillier  
Rae Lynn P. Guest  
George S. Bardmessner  
Daniel A. Klein\*  
Jason D. Eisenberg  
Michael D. Specht  
Andrea J. Kamage  
Tracy L. Muller\*  
LuAnne M. DeSantis  
Ann E. Summerfield  
Aric W. Ledford\*  
Helene C. Carlson  
Timothy A. Doyle\*  
Gaby L. Longsworth  
Lori A. Gordon\*  
Nicole D. Dretar\*

Ted J. Ebersole  
Jyoti C. Iyer\*  
Laura A. Vogel  
**Registered Patent Agents\***  
Karen R. Markowitz  
Nancy J. Leith  
Matthew J. Dowd  
Aaron L. Schwartz  
Katrina Yujian Pei Quach  
Bryan L. Shelton  
Robert A. Schwartzman  
Teresa A. Coella  
Jeffrey S. Lundgren  
Victoria S. Rutherford  
Michelle K. Holoubek  
Robert H. DeSelms  
Simon J. Elliott

Julie A. Heider  
Mita Mukherjee  
Scott M. Woodhouse  
Michael G. Penn  
Christopher J. Walsh

**Of Counsel**  
Kenneth C. Bass III  
Evan R. Smith  
Marvin C. Guthrie

\*Admitted only in Maryland  
+ Admitted only in Virginia

•Practice Limited to  
Federal Agencies

October 18, 2004

**WRITER'S DIRECT NUMBER:**  
(202) 772-8538

**INTERNET ADDRESS:**  
DBANOWIT@SKGF.COM

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Mail Stop Missing Parts**

Re: U.S. Utility Patent Application  
Appl. No. 10/786,561; Filed: February 26, 2004  
For: **Microbicidal Compositions and Method of Use**  
Inventors: CAMUS-BABLON *et al.*  
Our Ref: 2252.0010001/DRB/KPQ

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated May 19, 2004, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1);
2. PTO Fee Transmittal Form PTO/SB/17;
3. Copy of the Notice to File Missing Parts;
4. Three (3) original Declarations, executed by each inventor;
5. An original executed Power of Attorney from Assignee;
6. Assignee 37 C.F.R. § 3.73(b) Statement with copy of Assignment attached;
7. Return postcard; and

Commissioner for Patents  
October 18, 2004  
Page 2

8. PTO-2038 Credit Card Payment Form for \$1,748.00 to cover:

\$ 395.00 Filing Fee for Patent Application (37 C.F.R. § 1.16);  
\$ 490.00 Extension of time fees (37 C.F.R. § 1.17(a));  
\$ 65.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16); and  
\$ 798.00 Fee for excess claims (37 C.F.R. § 1.16).

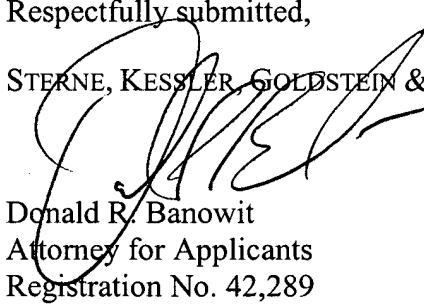
Applicant claims small entity status (37 C.F.R. § 1.27).

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Donald R. Banowitz  
Attorney for Applicants  
Registration No. 42,289

DRB/KPQ/dms  
Enclosures

322859-1

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2005

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$)  
**1,748.00**

## Complete if Known

Application Number	10/786,561
Filing Date	February 26, 2004
First Named Inventor	Florence CAMUS-BABLON
Examiner Name	To be assigned
Art Unit	1615
Attorney Docket No.	2252.0010001/DRB/KPQ

## METHOD OF PAYMENT (check all that apply)

- Check  Credit card  Money Order  Other\*\*  None
- \*\*Charge any deficiencies or credit any overpayments in

Deposit Account: the fees to Deposit Acct. No. 19-0036.

Deposit Account Number  
19-0036  
Deposit Account Name  
Sterne, Kessler, Goldstein & Fox  
P.L.L.C.

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 790	2001 395	Utility filing fee	<b>395.00</b>
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$)</b>

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
94	6		- 20 ** = 74	X 9.00 = 666	
			- 3 ** = 3	X 44 = 132	

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		<b>(\$)</b>
		<b>798.00</b>

\*\*or number previously paid, if greater. For Reissues, see above

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	<b>65.00</b>
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	<b>490.00</b>
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
		<b>SUBTOTAL (3)</b>	<b>(\$)</b>
			<b>555.00</b>

(Complete if applicable)

Name (Print/Type)	Donald R. Banowitz	Registration No. (Attorney/Agent)	42,289	Telephone	(202) 371-2600
Signature	10-18-04				

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.